



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Cole et al.

Serial No.: 10/018,023

Filed: December 10, 2001

For: Femoral Intramedullary Rod System

§ Attorney Docket No. 31181.26  
§  
§ Customer No. 27683  
§  
§ Group Art Unit: 3732  
§  
§ Examiner: Pedro Philogene  
§

**INFORMATION DISCLOSURE STATEMENT**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

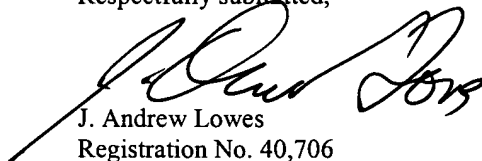
The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents listed on the enclosed modified Form PTO-1449 are attached.

The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the EPO in May, 2005, in the PCT counterpart of the present application. A copy of the search report is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

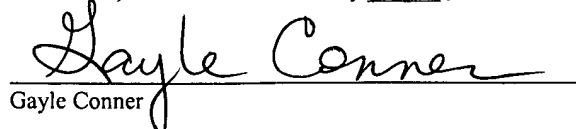
Respectfully submitted,

  
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Date: July 22, 2005  
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**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 22, 2005.

  
Gayle Conner

In Place of PTO-1449 Form		U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/018,023
				Filing Date	December 10, 2001
				Applicant(s)	Cole et al.
				Art Unit	3732
				Examiner Name	Pedro Philogene
SHEET	1	OF	1	Attorney Docket Number	31181.26

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
		DE 8712991.4	09/26/87		

## NON-PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
		European Patent Office Search Report EP-87 761 concerning the international application 00942677.6, for Orthodyne, Inc., under Article 157(2) EPC , May, 2005, 5 pages

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.